## PATENT COOPERATION TREATY

### **PCT**

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference						
P22638PCAU	FOR FURTHER ACTION	See Form PCT/IPEA/416				
International application No.	International filing date (day/month/year	Priority date (day/month/year)				
PCT/AU2004/000469	8 April 2004	10 April 2003				
International Patent Classification (IPC) or	national classification and IPC	10 110111 2003				
Int. Cl. 7 G06F 09/44		and the same of th				
Applicant SOUZ NAM 1 3030						
CHARISMATEK SOFTWARE METRICS PTY LTD et al						
WELBOURNE WATERMARK						
This report is the international preliminar     Authority under Article 35 and transmitted.						
a second and the second	ed to the approant according to Article 36.					
2. This REPORT consists of a total of 3 s						
3. This report is also accompanied by ANN						
a. (sent to the applicant and to the	International Bureau) a total of sheets,	as follows:				
sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).						
sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.						
	,	•				
b. (sent to the International Bureau a sequence listing and/or table rel	only) a total of (indicate type and number lated thereto, in computer readable form or	of electronic carrier(s)), containing				
	Section 802 of the Administrative Instruc	ny, as indicated in the Supplemental Box tions).				
4. This report contains indications relating to	o the following items:					
X Box No. I Basis of the report	·					
Box No. II Priority						
Box No. III Non-establishment	of opinion with regard to novelty, inventiv	re sten and industrial annihilation				
Box No. IV Lack of unity of inv	rention	o stop and industrial applicability				
X Box No. V Reasoned statement	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
	Certain documents cited					
	•	1				
	Certain defects in the international application  Certain observations on the international application					
Date of submission of the demand	Date of completion o	f the report				
November 2004	4 March 2005					
Name and mailing address of the IPEA/AU	Authorized Officer					
AUSTRALIAN PATENT OFFICE O BOX 200, WODEN ACT 2606, AUSTRALIA	·					
-mail address: pct@ipaustralia.gov.au	John Thomson					
acsimile No. (02) 6285 3929	Telephone No. (02)	5283 2214				

#### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000469

Bo	x No.	. I Basis of the report	_			
1.	With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.					
	This report is based on translations from the original language into the following language , , which is the language of a translation furnished for the purposes of:					
	international search (under Rules 12.3 and 23.1 (b))					
	publication of the international application (under Rule 12.4)					
İ		international preliminary examination (under Rules 55.2 and/or 55.3)				
2.	With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):					
	X	the international application as originally filed/furnished	•			
		the description:				
		pages as originally filed/furnished				
 	_	pages* received by this Authority on with the letter of				
	<u></u>	pages* received by this Authority on with the letter of				
		the claims:				
		pages as originally filed/furnished  pages* as amended (together with any statement) under Article 19				
		pages* as amended (together with any statement) under Article 19 pages* received by this Authority on with the letter of				
		pages* received by this Authority on with the letter of				
		the drawings:				
		pages as originally filed/furnished				
		pages* received by this Authority on with the letter of				
		pages* received by this Authority on with the letter of	ı			
		a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.	. ]			
3.		The amendments have resulted in the cancellation of:				
		the description, pages				
		the claims, Nos.				
	•	the drawings, sheets/figs				
		the sequence listing (specify):	.			
		any table(s) related to the sequence listing (specify):				
4.		This report has been established as if (some of) the amendments amnexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).				
		the description, pages				
		the claims, Nos.				
		the drawings, sheets/figs	Ì			
		the sequence listing (specify):				
		any table(s) related to the sequence listing (specify):				
•	If item 4 applies, some or all of those sheets may be marked "superseded."					

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000469

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

<del></del>			<u> </u>
1.	Statement		
	Novelty (N)	Claims 1-28	YES
		Claims	NO
٠.	Inventive step (IS)	Claims 1-28	YES
		Claims	NO
	Industrial applicability (IA)	Claims 1-28	YES
		Claims	NO

2. Citations and explanations (Rule 70.7)

Claims 1-28 The closest prior art was found to be:

- US 2003/0033586 A
- GB 2362483 A
- US 6073107 A
- US 2003/0070157 A

No individual citation nor obvious combination of citations discloses a method for assessing a functional size of a software application including the steps of analysing a software requirements specification and determining zero or more keywords for each requirement, using a computer to cross-reference the keywords with a stored lexicon including a function type and complexity for each keyword, and further using the computer to associate each keyword with an entry in the lexicon thus obtaining a function type and complexity for each keyword, using a functional sizing standard to deduce a number of function points for the function type and complexity of each keyword, and combining the function points to obtain a functional size of the software application.